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TENNESSEE DEPARTMENT OF HEALTH AND ENVIRONMENT
CUSTOMS HOUSE
701 BROADWAY
NASHVILLE, TENNESSEE 37219-5403

CERTIFIED MAIL P 292 337 858
RETURN RECEIPT REQUESTED

December 2, 1986

Carrier Corporation
Attention: Mr. John Brewer
97 South Byhalia Road
Collierville, Tennessee 38017

Re: Carrier Corporation Site
File #79-552
Shelby County

Gentlemen

You have indicated your willingness to undertake site related activities and to assume related financial responsibilities. In order to insure that investigation and clean-up, if necessary, proceeds in a productive and orderly manner, the Division has developed certain procedures. Therefore, you are requested to begin the following activities:

1. Effective immediately, except as otherwise requested by this letter, neither the hazardous substance site nor any hazardous substance on or in the site shall be disturbed, moved or removed without written approval by the Department.

2. INITIAL ASSESSMENT

A. Within ten (10) days of receipt of this letter, submit to the Department any existing data which is pertinent to the assessment of the hazard that the specified site may pose to public health and the environment. This information shall include existing data listed in paragraph 3.A. of this letter and a list of persons within a one (1) mile radius of the site using private water sources (i.e., wells, springs, etc.).

B. Following receipt of this information, the Department will schedule an assessment conference of which you will be notified. You will be given at least seven (7) days notice prior to this meeting. The purpose of this conference will be to discuss existing data and determine the need for further investigation, remedial action and/or long term monitoring and maintenance.

C. If the Department determines further action is necessary, a schedule for future activities requested by the Department shall be established at this conference. This schedule will provide the dates by which the activities must be completed. The Department will provide a copy of the scheduled activities to you.

3. PLAN FOR INVESTIGATION

A. According to the schedule established at the assessment conference, the Respondents shall submit to the Department a proposed plan for investigation. This plan shall include, but not be limited to, procedures or methods for assessing the following factors:

- a. Types and quantities of hazardous substances disposed at the site.
- b. Physical state, analytical summary, toxicological characteristics and other pertinent data defining hazardous substances present at the site.
- c. Methods and extent of the disposal operation including containment methods used, plans and/or photographs of site operation, perimeter and depth of disposal area, and type of disposal operation conducted (open burning, trench, surface impoundment, etc.).
- d. Release of contaminants to ground water, surface water, soil or air, including sampling, to determine contaminant concentrations and extent of contaminant migration.



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- e. Hydrogeologic factors to determine depth to groundwater, permeability of the unsaturated zone, distance to nearest surface water and slope of the disposal area and intervening terrain.
- f. Population and environment, including flora and fauna, potentially affected:
 - (1.) Ground water use and population served by ground water sources within a three (3) mile radius of the site.
 - (2.) Surface water use and population served within a three (3) mile reach downstream of the site.
 - (3.) Population potentially affected by contaminant releases to the air within a four (4) mile radius of the site.
 - (4.) Distance from the site to sensitive environments such as a natural wetland, critical habitat for an endangered species or a Wildlife Refuge.
- g. Fire and explosion hazard assessment of the site.
- h. Direct contact hazard assessment of the site.

B. The proposed plan for investigation must also include cost estimates and a schedule for completion of all investigation activities. Following a review of this plan, the Department may schedule a meeting of which you will be notified, to discuss any revisions requested by the Department. You will be given at least seven (7) days notice prior to the meeting. A revised plan for investigation must then be submitted.

C. Upon approval by the Department, the site is to be investigated according to the plan.

D. Results of this investigation shall be submitted to the Department. Upon review, the Department shall determine if further investigation or action is necessary.

4. REMEDIAL ACTION SELECTION

A. If the Department determines that further action is required, a report providing an assessment of the hazard posed by the site to public health and the environment and providing remedial action alternatives is to be submitted by you to the Department. This report will be referred to as a Hazard Evaluation/Remedial Alternatives Report (hereinafter "HE/RA"). Remedial action alternatives must include cost estimates and proposed schedules for completion.

B. Each remedial action alternative must include:

- a. The technological feasibility of each alternative;
- b. The cost-effectiveness of each alternative;
- c. The nature of the danger to the public health, safety, and the environment posed by the hazardous substances at the site; and
- d. The extent to which each alternative would achieve the goal of T.C.A. Section 68-46-206(d) which states, in part, "... The goal of any such action shall be cleanup and containment of the site through the elimination of the threat to public health, safety and the environment posed by the hazardous substance."

C. Following the Department's review of the HE/RA Report, the Department may schedule a meeting, of which you will be notified, to discuss any revisions required by the Department. You will be given at least seven (7) days notice prior to the meeting. A revised HE/RA Report must then be submitted to the Department.

D. Upon review of the HE/RA Report, the Department shall select and notify you of the Remedial Action Alternative to be implemented at the site.

5. REMEDIAL ACTION IMPLEMENTATION

A. Upon notification of the selected Remedial Action Alternative, you must prepare and submit to the Department a Remedial Action Implementation Plan.

- B. The Remedial Action Implementation Plan shall address:
- a. Construction performance standards to achieve the level of cleanup necessary to meet project objectives;
 - b. Design specifications and complete drawings for the selected alternative;
 - c. Detailed cost estimate for implementation, including monitoring and maintenance;
 - d. Major equipment and utility requirements;
 - e. Conceptual site layout drawings;
 - f. A schedule for implementing the alternative;
 - g. Special engineering considerations required to implement the alternative, e.g., pilot plant or full-scale field tests;
 - h. Operation, maintenance, and post-closure monitoring requirements of the completed alternative;
 - i. Off-site disposal needs, permit requirements, and transportation plans;
 - j. Temporary storage requirements;
 - k. On-site and off-site health and safety considerations; and,
 - l. Identification of additional engineering data required to proceed with design.

C. Following the Department's review of the Remedial Action Implementation Plan, the Department may schedule a meeting, of which you will be notified, to discuss any required revisions. You will be given at least seven (7) days notice prior to the meeting. A revised Remedial Action Implementation Plan must be submitted to the Department. Upon receipt of written approval by the Department, the Plan is to be implemented.

6. To the extent practicable, any investigation, identification, containment and clean-up, including monitoring and maintenance, shall be consistent with the national contingency plan promulgated pursuant to Section 105 of Public Law 96-510.

7. Certain activities may be deemed critical by the Department and shall require observation by the Department. You are requested to provide at least seven (7) days notice to the Department to allow scheduling of personnel for these activities. The Department also reserves the right to observe any other activities requested pursuant to this letter.

The Department appreciates your cooperation in this matter. However, if at any point during investigation, identification, containment and clean-up, including monitoring and maintenance, you become unwilling or unable to comply, we must proceed with the issuance of a Commissioner's Order and the filing of a Notice of Lien on the property.

If at any time you have any questions regarding this letter or any other matter, feel free to contact Mr. Danny Brewer, Field Office Coordinator, Jackson, Tennessee, or telephone (901) 424-9200.

Sincerely,

James C. Ault

James C. Ault, Director
Division of Superfund

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